

MEMO ENDORSED

STATE OF NEW YORK

OFFICE OF THE ATTORNEY GENERAL

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August 1, 2008

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Via Fax (212)805-7932
Hon. Theodore H. Katz
United States Magistrate Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

Re: Land v Kaufman, et. al.
07CV8070(GEL)(THK)
Pro Se

Dear Judge Katz:

This letter is written on behalf of defendants, New York State Corrections Officers David Kaufman and Michael J. Miller, employees of the New York State Department of Correctional Services ("DOCS"), respectfully to request an extension of time from August 11, 2008 until September 10, 2008 to submit a dispositive motion, or alternatively, the joint pretrial order and related documents. No previous requests have been made for such an extension.

Plaintiff's deposition was conducted at Sing Sing Correctional Facility on July 28th. We have not as yet received the transcript. The additional time is being requested to enable plaintiff to return to our office a signed copy of the transcript for review and determination of whether a dispositive motion will be made. I anticipate scheduling several depositions in Davis v Goord, 07CV7309(AJP) before I begin my vacation from August 25th until September 3rd. At the conclusion of his deposition, plaintiff consented to extending the above deadline until the end of August. I did not obtain plaintiff's consent for an extension beyond that point because he is incarcerated.

Respectfully submitted,

Donald Nowve
Donald Nowve
Assistant Attorney General
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c: Ricky Land
Plaintiff pro se
DIN # 01A4403
Southport Correctional Facility
236 Institution Road, P.O. Box 2000
Pine City, New York 14871-2000

SO ORDERED

Theodore H. Katz
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE